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Anna R. Benshoof

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HOUSE BILL 233: COURTS & JUDICIAL PROCEEDINGS - PEACE ORDERS

By Anna R. Benshoof

House Bill 233 (crossfield with Senate Bill 146), authorizes an individual to file a petition with the court seeking relief against a respondent for the commission of certain acts. This Bill adds to the Maryland Annotated Code, Courts and Judicial Proceedings Article, Sections 3-1501 through 3-1509 under the new "Subtitle 15. Peace Orders" and repeals and reenacts, with amendments, Courts and Judicial Proceedings Article, Section 4-401, and Family Law Article, Section 4-510.

Specifically, House Bill 233 creates a new form of relief in the form of a Peace Order for individuals who are harassed, stalked, assaulted, sexually assaulted, or in fear of imminent serious bodily harm by a non-spouse. The Bill essentially creates a new form of Protective Order for application in non-marital situations. The petition for a Peace Order must be filed within thirty days of the commission of the alleged act. Upon a finding that respondent committed the alleged acts and may commit future acts, the court may issue a temporary Peace Order in an ex parte proceeding to protect the petitioner.

Should the respondent violate the Peace Order, respondent may be subject to a finding of contempt, criminal prosecution, and imprisonment not to exceed ninety days or a fine not to exceed one thousand dollars, or both.

House Bill 233 became effective on October 1, 1999.